

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/002563

International filing date (day/month/year)
16.06.2004

Priority date (day/month/year)
16.06.2003

International Patent Classification (IPC) or both national classification and IPC
E03D9/03

Applicant
JEYES GROUP LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 68.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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10/560749
IAP9 Rec'd PCT/PTO 15 DEC 2005**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No
PCT/GB2004/002563**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating to the invention has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No
PCT/GB2004/002563**Box No. II Priority**1. ☒ The following document has not been furnished:☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement:

1. Statement

Novelty (N)

Yes: Claims 4 5 6 7 10-12 14 18 19 21-24

No: Claims 1 2 3 7 8 9 13 15-17 20

Inventive step (IS)

Yes: Claims 4 5 6 18 19 22-24

No: Claims 1-3 7-17 20 21

Industrial applicability (IA)

Yes: Claims 1-24

No: Claims

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2004/002563

Re Item V.

- 1 The following documents are referred to in this communication:
- D1: WO 03/033830 A (ESHEL YAIR ; OHANA BETSALEL (IL); PORAT AMIR (IL)) 24 April 2003 (2003-04-24)
 - D2: FR 2 819 279 A (CHAPELLE LAURENT JACQUES ROGER) 12 July 2002 (2002-07-12)
 - D3: DE 299 21 111 U (Lassmann, Thomas) 27 July 2000 (2000-07-27)
 - D4: US 3 023 426 A (Earl S. Neal) 6 March 1962 (1962-03-06)

2 INDEPENDENT CLAIM 1

- 2.1 Document D1 discloses (the references applying to this document):
a liquid dispensing device 250 for use in the flush cistern of a water closed, the device comprising: a liquid formulation, a reservoir 209 for the liquid formulation, means (cf. p.4, l.11-12) for maintaining the level of the liquid formulation in the reservoir 209 at a predetermined level, an outlet 225 through which the liquid formulation is dispensed, and means 214 for dispensing a quantity of the liquid formulation via the outlet 225, wherein the means for dispensing a quantity of the liquid formulation via the outlet comprises means 214 for temporarily increasing the level of the liquid formulation in the reservoir so that the liquid formulation enters the outlet (cf. p.4, l.18-22).

All the features of claim 1 are thus known (Article 33(2) PCT) and the present application does not meet the criteria of Article 33(1) PCT.

- 2.2 The same features can be found in document D2 and D3.
- 2.3 The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claim 13 which therefore is also considered not new.
- 2.4 The documents D1, D2 resp. D3 show as well the features of the dependent claims 2, 3, 7, 8, 13, 15-17 and 20, which therefore are also not new (Article 33(2) PCT).

**WRITTEN OPINION OF THE
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International application No.

PCT/GB2004/002563

3 INDEPENDENT CLAIM 9

3.1 Document D4 shows (references applying to this document):

a toilet cleaning device having a strap 20 for suspending said toilet cleansing device inside the lidded flush cistern of a water closet, the toilet cleansing device comprising: a device 16 for dispensing, in use, a substance into the water in the cistern, the strap 20 having a first end and a second end (cf. Fig. 1), attaching means 18 of the first end of the strap for securing the first end outside of the cistern, the second end of the strap being attached to the toilet cleansing device (connection between 24 and 20, cf. Fig. 1), wherein the strap is sufficiently thin so that in use it does not substantially raise the lid of the flush cistern (cf. Fig. 3).

All features of this claim are thus known from D4 and the subject-matter of the claim is not new (Article 33(2) PCT).

3.2 In order to ensure unity of the application (Rule 13 PCT), all independent claims should contain the same or corresponding technical features.

4 INDEPENDENT CLAIM 21

4.1 Document D1 shows (references applying to this document):

a dispensing device 250 comprising a container (cf. p.4, l.6) for liquid, a body housing a piston 214 in a piston chamber, the piston chamber having an outlet 225 for liquid to be pumped from the device by movement of the piston, a conduit 209 for supplying liquid from the container to the piston chamber, and a float 218 which is operatively coupled to the piston 214 to move the piston as the float 218 moves, the float 218 being moved in use by the rise and fall of water in the cistern (cf. Fig. 2a, p.4, l.1-22).

The claimed dispensing device differs from the device of D1 by a strap for suspending the device in a toilet cistern.

4.2 It is however, widely known in the state of the art to suspend a toilet dispenser inside the cistern with a strap, cf. D4, and the skilled person would include this feature in the device of D1 to arrive without inventive activity at a device according to claim 21.

4.3 Therefore, the subject-matter of claim 21 is considered not inventive (Article 33(3) PCT).

**WRITTEN OPINION OF THE
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AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2004/002563

5 INDEPENDENT CLAIM 22

5.1 Document D1 shows:

a dispensing device comprising a container 250 of liquid, a body housing a piston 214 in a piston chamber, the piston chamber having an outlet 225 for liquid to be pumped from the device by movement of the piston 214 and a conduit 209 for supplying liquid from the container 209 to the piston chamber (cf. Fig. 2a).

5.2 The claimed device differs from this device in that the piston is electrically operated.

5.3 The subject-matter of Claim 22 is therefore new (Article 33(2) PCT).

5.4 The problem to be solved by this feature could be regarded as providing an actuation mechanism of the dispensing device without a float.

5.5 The claimed solution is not known nor suggested from one of the cited documents and would not be obvious for the skilled person as it implies a more complex and more expensive mechanism than the commonly used float actuation.

5.6 Claims 23 and 24 are dependent on claim 22 and as such also meet the requirements of Articles 33(2) and (3) PCT.